

REGULAR MEETING

MAYOR AND BOARD OF TRUSTEES, VILLAGE OF BURR RIDGE, IL

AUGUST 25, 2008

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of August 25, 2008 was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:01 p.m. by Mayor Grasso.

PLEDGE OF ALLEGIANCE was conducted by Tatiana Havel, Pleasantdale Elementary School.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Sodikoff, Paveza, Allen, Grela, DeClouette & Mayor Grasso. Trustee Wott arrived at 7:15 p.m. Also present were Village Administrator Steve Stricker, Community Development Director Doug Pollock, Public Works Director Paul May, Finance Director Jerry Sapp, Deputy Police Chief John Madden, Village Clerk Karen Thomas and Village Attorney Terry Barnicle.

There being a quorum, the meeting was open to official business.

AUDIENCE Betsy Levy asked for an update on the ComEd matter. Mayor Grasso answered that there was a meeting scheduled for tomorrow at 2:00 p.m.

Richard Morton, a resident, commented on staff's professionalism and rapid response to his questions, comments, etc. He thanked the Trustees for taking on a tough job and said he was appreciative of their service. He continued that he finds the broadcast of the meetings to be a wonderful tool.

CONSENT AGENDA – OMNIBUS VOTE After reading the Consent Agenda by the President, motion was made by Trustee Grela and seconded by Trustee Allen that the Consent Agenda – Omnibus Vote, (attached as Exhibit A), and the recommendations indicated for each respective item, be hereby approved.

On Roll Call, Vote Was:

AYES: 5 – Trustees Grela, Allen, DeClouette, Paveza & Sodikoff

NAYS: 0 – None

ABSENT: 1 – Trustee Wott

There being five affirmative votes, the motion carried.

MINUTES – REGULAR MEETING OF AUGUST 11, 2008 were approved for publication under the Consent Agenda by Omnibus Vote.

MINUTES – (DRAFT) PLAN COMMISSION MEETING OF JULY 21, 2008 were noted as received and filed under the Consent Agenda by Omnibus Vote.

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MINUTES – (DRAFT) VETERANS MEMORIAL COMMITTEE MEETING OF AUGUST 13, 2008 were noted as received and filed under the Consent Agenda by Omnibus Vote.

MINUTES – (DRAFT) PLAN COMMISSION MEETING OF AUGUST 18, 2008 were noted as received and filed under the Consent Agenda by Omnibus Vote.

ORDINANCE GRANTING A SPECIAL USE PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE (Z-12-2008: 775 VILLAGE CENTER DRIVE – KOHLER WATERS SPA) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance granting a special use for the sales and service of alcoholic beverages at the Kohler Waters Spa. **THIS IS ORDINANCE NO. A-834-16-08**

ORDINANCE AMENDING CHAPTER 25 OF THE BURR RIDGE MUNICIPAL CODE BY ADDING A NEW CLASS “O” LIQUOR LICENSE The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance amending Chapter 25 of the Burr Ridge Municipal Code by adding a new Class “O” liquor license for the yearly fee of \$1,000. **THIS IS ORDINANCE NO. A-222-02-08**

ORDINANCE AUTHORIZING THE DISPOSAL OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF BURR RIDGE (COMPUTER EQUIPMENT) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance authorizing appropriate disposal of damaged and non-functioning equipment. **THIS IS ORDINANCE NO. 1094**

RESOLUTION TO ALLOW ILLINOIS MUNICIPAL RETIREMENT FUND SERVICE CREDIT FOR MILITARY SERVICE The Board, under the Consent Agenda by Omnibus Vote, adopted the Resolution allowing eligible employees to convert up to two years military service to IMRF service credit. **THIS IS RESOLUTION NO. R-22-08**

RECOMMENDATION TO APPROVE ENTRYWAY SIGN (LAKE RIDGE CLUB SUBDIVISION) The Board, under the Consent Agenda by Omnibus Vote, accepted the Plan Commission’s recommendation and directed Staff to prepare the Ordinance approving the entryway sign for Lake Ridge Club Subdivision.

RECOMMENDATION TO AWARD CONTRACT FOR PURCHASE OF VIDEO MONITORING EQUIPMENT FOR THE POLICE DEPARTMENT The Board, under the Consent Agenda by Omnibus Vote, awarded the contract for video monitoring equipment for the Police Department to Orbis Communication, at a cost of \$9,895.



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RECOMMENDATION TO AWARD CONTRACT FOR PURCHASE OF IN-CAR DIGITAL VIDEO EQUIPMENT

The Board, under the Consent Agenda by Omnibus Vote, awarded the contract for four in-car digital video systems to MPH Industries, Inc. in the amount of \$20,046.

RECOMMENDATION TO ALLOW POLICE OFFICERS TO DISTRIBUTE FLYERS AND ACCEPT DONATIONS FOR THE COPS PROGRAM DURING THE BURR RIDGE PARK DISTRICT HARVEST FEST EVENT

The Board, under the Consent Agenda by Omnibus Vote, approved the request of the Police Department to distribute flyers to local businesses, to accept donations and to hold a 50/50 raffle in conjunction with the Jonathan E. Walsh Memorial Softball Game at the September 27 Harvest Fest at Burr Ridge Park District.

RECOMMENDATION TO APPOINT CAROL SEMMER TO THE ENVIRONMENTAL QUALITY COMMISSION FOR A THREE-YEAR TERM EXPIRING 9-1-11

The Board, under the Consent Agenda by Omnibus Vote, approved the Mayor's recommendation to appoint Carol Semmer to the Environmental Quality Commission for a three year term expiring September 1, 2011.

RECOMMENDATION TO APPOINT CHARLES K. OLSON TO THE ENVIRONMENTAL QUALITY COMMISSION FOR A THREE-YEAR TERM EXPIRING 9-1-11

The Board, under the Consent Agenda by Omnibus Vote, approved the Mayor's recommendation to appoint Charles K. Olson to the Environmental Quality Commission for a three year term expiring September 1, 2011.

RECOMMENDATION TO APPOINT KATHLEEN P. GREENAWALT TO THE ENVIRONMENTAL QUALITY COMMISSION FOR A THREE-YEAR TERM EXPIRING 9-1-11

The Board, under the Consent Agenda by Omnibus Vote, approved the Mayor's recommendation to appoint Kathleen P. Greenawalt to the Environmental Quality Commission for a three year term expiring September 1, 2011.

RECOMMENDATION TO APPOINT THOMAS ORIS TO THE ENVIRONMENTAL QUALITY COMMISSION FOR A THREE-YEAR TERM EXPIRING 9-1-11

The Board, under the Consent Agenda by Omnibus Vote, approved the Mayor's recommendation to appoint Thomas Oris to the Environmental Quality Commission for a three year term expiring September 1, 2011.

VOUCHERS in the amount of \$249,233.46 for the period ending August 25, 2008 and payroll in the amount of \$189,681.78 for the period ending August 9, 2008 were approved for payment under the Consent Agenda by Omnibus Vote.

7:10 P.M.
PUBLIC HEARING
PRE-ANNEXATION AGREEMENT

9089



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BLUFF ROAD/WATERFALL GLEN PDD

CALL TO ORDER The Public Hearing of the Mayor and Board of Trustees for the Bluff Road/Waterfall Glen PDD Pre-Annexation Agreement was held in the Meeting Room of the Village Hall, 7660 South County Line Road, Burr Ridge, Illinois and called to order by Mayor Grasso at 7:10 p.m., with the same Trustees in attendance as immediately preceding the Public Hearing.

NOTICE OF HEARING was published in Suburban Life Newspaper.

PURPOSE OF HEARING is to consider a Pre-Annexation Agreement for the property located at the northeast corner of Kingery Highway (IL Route 83) and Bluff Road.

PRESENTATION Community Development Director Doug Pollock explained that the Petitioner has asked that the Public Hearing be continued to September 8, 2008. He said they have not had time to complete their review of the Agreement.

BOARD QUESTIONS AND COMMENTS there were none at this time.

CLOSE HEARING Motion was made by Trustee Paveza and seconded by Trustee DeClouette that the Bluff Road/Waterfall Glen PDD Pre-Annexation Agreement Public Hearing be continued to September 8, 2008.

On Voice Vote, the motion carried.

ORDINANCE AMENDING CHAPTER 57 (TREES) OF THE BURR RIDGE MUNICIPAL CODE (REVISIONS TO ADDRESS INFESTATION OF EMERALD ASH BORER BEETLES)

Public Works Director Paul May presented an amendment to Chapter 57 (Trees) to address the infestation of the Emerald Ash Borer. The substantive change to the Chapter makes a distinction between Emerald Ash Borer infestation and Dutch Elm infection. Section 57.23 allows a resident to opt to treat an infested tree until it is deemed that 30% of the canopy is dead at which point the tree would require removal. Section 57.24 governs the procedure for removal of an infested tree.

Motion was made by Trustee Grela and seconded by Trustee DeClouette to approve the Ordinance as presented.

On Roll Call, Vote Was:

AYES: 5 – Trustees Grela, DeClouette, Sodikoff, Paveza & Allen

NAYS: 0 – None

ABSENT: 1 – Trustee Wott



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There being five affirmative votes, the motion carried.
THIS IS ORDINANCE NO. A-779-01-08

ORDINANCE AMENDING SECTION IX OF THE SUBDIVISION ORDINANCE OF THE VILLAGE OF BURR RIDGE REGARDING TREE DIVERSITY

Community Development Director Doug Pollock explained that this amendment to the Subdivision Ordinance prohibits the future planting of ash trees and requires that trees in a new subdivision be a variety of species so that if there are future diseases or infestations, it would lower the number of trees lost.

In answer to a question from the audience, Mr. May said all ash trees in North America are susceptible to infestation, particularly the green and white ash.

Motion was made by Trustee Allen and seconded by Trustee Paveza to approve the Ordinance as presented.

On Roll Call, Vote Was:

AYES: 6 – Trustees Allen, Paveza, Wott, Sodikoff, Grela & DeClouette

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

THIS IS ORDINANCE NO. A-894-02-08

ORDINANCE APPROVING A PRE-ANNEXATION AGREEMENT FOR THE BLUFF ROAD/WATERFALL GLEN PLANNED DEVELOPMENT DISTRICT (P.D.D.)

Motion was made by Trustee Wott and seconded by Trustee DeClouette to table this item to the September 8, 2008 meeting.

On Voice Vote, the motion carried.

COMMONWEALTH EDISON'S PROPOSED PLANS TO REMOVE TREES UNDER TRANSMISSION LINES THROUGHOUT BURR RIDGE

Mayor Grasso said that a meeting is scheduled with ComEd for August 26, 2008 with the hopes that there will be an understanding that is acceptable to ComEd and the residents. He continued that no residents have reported receiving notices and no trees have been removed.

EMERALD ASH BORER TREATMENT OPTIONS

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Mr. May presented a report outlining various treatment alternatives for the Emerald Ash Borer. He said there are two different methodologies for treatment; one is a trunk injection which is generally the more expensive. The low bid for this treatment was from Emerald Tree Care at \$5.94 per inch diameter (a 10" tree would be \$50.94 per treatment). The other alternative is a root drench. The low bid for this treatment was from Kramer Tree Specialists at \$2.50 per inch diameter (a 10" tree would cost \$25.00). The guaranteed price solicitations will be posted on the website for residents. He said it is important to note that each treatment has to be done annually in perpetuity.

In answer to Trustee DeClouette, Mr. May said the root drench can be applied by a homeowner on their property. Once mass quantities of the insecticide are used or work is done on public land, then you need to be licensed. The trunk injection has to be applied by an arborist and is not available to the general public. He continued that there is additional information on the Village's website regarding methodologies and effect and a listing of products and when to apply them.

In answer to Mayor Grasso, Mr. May said Village staff will be happy to assist residents to determine the species of trees on their property. He continued that neighboring Villages have been contacted and informed of the situation. He stated that the standard in Illinois, Michigan and Indiana is to remove infested trees. There are very few Villages that have a Village wide treatment program; presumably because of the long term costs.

Mr. May stated that soil trenching is the most economical. All studies are preliminary but it does seem that there should be a positive impact with the soil trenching treatment. He warned that trees that are already infested will still succumb. Staff has and will continue to look for programs that fund treatment. Mr. May continued that a letter has been sent to all the homeowners association presidents providing a link to the online information and letting them know what has transpired. There will be an on-going public information campaign through the spring.

Resident Dusan Vucicevic said this should not be left to the homeowners associations. There should be an enforcement program in place empowering the Public Works Department.

No action was taken but Mayor Grasso asked Mr. May to keep the Board informed.

RECOMMENDATION TO DENY SIGN VARIATIONS (775 VILLAGE CENTER DRIVE – KOHLER)

Mr. Pollock said the petitioner has again requested this item be tabled in order to provide additional time to consider their options.

Motion was made by Trustee Grela and seconded by Trustee DeClouette to continue this item to the September 8, 2008 Board meeting.

On Voice Vote, the motion carried.



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**RECOMMENDATION TO APPROVE ZONING ORDINANCE TEXT AMENDMENT TO
ADD SOLAR PANELS AS A PERMITTED ACCESSORY STRUCTURE IN RESIDENTIAL
DISTRICTS**

Community Development Director, Doug Pollock presented the Plan Commission's recommendation for a text amendment to the Zoning Ordinance that would add rooftop solar panels as a permitted accessory structure in residential districts. He continued that the Petitioner is a solar energy contractor whose client is wishing to install solar panels for the purpose of providing hot water and heat to the home. The regulations would specifically limit solar panels to flush mounted rooftop panels, specifically prohibiting ground mounted panels or the type that are tilted up away from the roof of the house. The regulations also would limit the amount of exposed wiring and conduit connecting the panels to the interior mechanicals of the house, restricting those to either the inside of the home or to the side or rear walls of the home and requiring that they be enclosed with a type of paneling such as you would see with gutters or downspouts.

Mr. Pollock continued that the regulations certainly prohibit the number of homes that may be able to utilize this technology. The Plan Commission's intent was to balance that with the impact on the aesthetics and the neighborhoods where these are installed and the Plan Commission was comfortable that these regulations achieve that goal.

Trustee Grela commented that since this is a supplemental system and not the primary system within the house, does this limitation prevent the optimum use of this particular solar collector system?

Joe Gordon, Solar Services Inc. said that laying the panels flush on the roof will limit their performance. These are thermal panels which operate best in the winter when it's hardest to get sun. By laying them back, the performance may be decreased when residents need it most. He said that by making them flush to the roof, aesthetically they will look beautiful but they will have to add collectors which will drive up the cost. Some people will not have the roof conducive to this and therefore eliminate some residents from having it.

Mr. Gordon continued that the Plan Commission wanted to eliminate any and all piping coming down the outside of the structure. This piping is sometimes necessary because they need to get a fluid through the panels and to the mechanical room of the house. Limiting the piping only to the interior could potentially mean ripping out a great deal of drywall. One easy way would be to bring it down the outside, looking like a downspout. The definition of an outside pipe run is not to penetrate the roof. These guidelines will create an additional cost to the homeowner.

Mayor Grasso asked what the problem was with a 2" pipe going down the side of the home if it's copper and the homeowner wants it.

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Mr. Pollock said he is not sure that the Petitioner understood the Plan Commission's recommendation. The regulation recommended by the Plan Commission was that any pipe or conduit run on the outside of the house be limited to the side or the rear of the house and that it be wrapped in something like a gutter spout that would hide it.

Motion was made by Trustee Sodikoff and seconded by Trustee Wott to accept the Plan Commission recommendation and direct staff to prepare an Ordinance granting a text amendment to add Solar panels as a permitted accessory structure in Residential Districts.

On Roll Call, Vote Was:

AYES: 5 – Trustees Sodikoff, Wott, Paveza, Grela & DeClouette

NAYS: 1 – Trustee Allen

ABSENT: 0 – None

There being five affirmative votes, the motion carried.

RECOMMENDATION TO APPROVE REZONING, SPECIAL USE AND VARIATIONS (Z-13-2008: 743 MCCLINTOCK DRIVE – ML PARTNERS, INC.)

Doug Pollock presented the recommendation from the Plan Commission to approve a request from ML Partners, Inc. for rezoning of the property at McClintock Drive and Lincolnshire Drive from the L-I District to the O-2 District and to approve zoning variations and site plan approval. The zoning variations would reduce the amount of required open space from 20% to 16% and a variation to allow an encroachment of a small part of the parking lot drive aisle into the setback from Waterside Place.

The Plan Commission found that the rezoning was consistent with existing zoning in the area; specifically the Burr Ridge Corporate Park which has office zoning throughout the area. The Comprehensive Plan recommends that this property be used for office development. The only reason it is zoned L-I is that when it was originally planned, there was no Office District. The zoning variations were found to be based on unique circumstances because the property has street frontage on actually four of its five sides and, as a result, the setbacks from those four sides are 40 foot rather than the typical 10 foot interior side yard setbacks so the amount of open space is consistent with the intent of the ordinance; it is just that those setback areas are not counted toward the required 20% open space.

Mr. Pollock continued that if the Board concurs with the Plan Commission they direct staff to prepare an Ordinance but continue this item until September 22. The Burr Ridge Park Property Owners Association President has asked for this item to be continued as they have not completed their review of the plans.

Mr. Pollock said one letter was received from a resident in Chasemoor indicating that they had no objection to the proposed office use of the property and the rezoning. They asked that the building



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and the parking lot be reversed. However, that would violate the zoning ordinance which does not allow parking between a building and a street. This plan complies with the zoning ordinance in that respect, with the exception of a small part of the parking lot. The resident also asked that if that plan change was not made, that there be additional landscaping. Mr. Pollock explained that this is part of the Plan Commission's recommendation.

Motion was made by Trustee Grela and seconded by Trustee DeClouette to continue this item to the September 22, 2008 Board meeting and direct staff to prepare the Ordinance.

On Voice Vote, the motion carried.

**RECOMMENDATION TO AWARD CONTRACT FOR PURCHASE OF BURR RIDGE
COMMUNITY TELEVISION UPGRADES**

Jerry Sapp, Finance Director, gave a presentation on the proposed upgrades to the Community Television. He said that the upgrades will be done in three phases. Phase 1 will include new equipment for the Village's Community Television (Channel 6). Future upgrades will include replacing the broadcast recording system and cameras, and the board room sound and presentation equipment.

He continued that the Leightronix Nexus system is a popular system used in Public, Education, and Government Programming. The Nexus is a complete system for digital recording, storage, playback, and program scheduling. He said three bids were received with the lowest bid of \$13,159.52 from Duncan Video. This is \$1,159.52 over budget but sufficient funds in the Information Technology Fund exist to cover the cost.

In answer to Trustee DeClouette, Mr. Sapp said that client references were received and the price includes installation, support and training.

In answer to Trustee Wott, Mr. Stricker said this is being done in phases with the third phase at the time this building is renovated.

Motion was made by Trustee Wott and seconded by Trustee DeClouette to award the contract to Duncan Video in the amount of \$13,159.52 for the purchase of the Nexus system and to direct staff to proceed with the implementation of the system.

On Roll Call, Vote Was:

AYES: 6 – Trustees Wott, DeClouette, Grela, Allen, Paveza & Sodikoff

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.



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**REQUEST FOR EXTENSION OF SUBDIVISION IMPROVEMENT DEADLINE FOR
STONE CREEK SUBDIVISION (OAK BUILDERS AT 91ST AND COUNTY LINE ROAD)**

Doug Pollock said that the Developer of the Stone Creek Subdivision has requested an extension of the September 12, 2008 improvement deadline to complete landscaping of the parkways and the sidewalk. The improvements have been substantially completed; there is a punchlist of items that need to be addressed which are fairly minor. The Subdivision Ordinance allows an extension of the improvement period for parkway trees and sidewalks without an extension fee in order to get as many homes completed as possible before constructing sidewalks and parkway trees. However, that is not an automatic extension and typically it has been the policy of the Village to grant that extension through the end of a current construction season rather than enter into a whole new construction season and go through winter season without those improvements being completed. He said the Developer is asking for a one year extension. Staff is recommending that the extension be limited through the end of this year.

Daniel Regan of Oak Builders and Regan Land Corporation said his request is for one year because of the economic times. He stated there is no risk to the Village because he has financial surety posted. He stated that with the real estate market declining and to put in improvements that would have to be torn out and redone does not make economic sense.

In answer to Mayor Grasso, Mr. Regan said parkway landscaping and sidewalks put in now will be driven over and torn up with the construction of a home. He continued that he is asking for a 7 to 8 month extension until next fall.

Trustee Wott said it is critical to maintain a pathway. She is adamantly opposed to having the sidewalks ripped up or in a state of disarray. Part of the developer's job is to maintain the subdivision while constructing it.

Mr. Regan stated that delivery trucks will break the sidewalk during construction.

In answer to Mayor Grasso, Mr. Stricker answered that the Village has spent a lot of money to construct the sidewalks on County Line Road and along 91st west of this area. The sidewalk on County Line Road, from 87th Street to 91st Street, is being completed now and once that is in, this is the only leg missing along 91st. It could be a few years before all the homes are sold, so a year from now, the developer has the potential for the same issue to occur. Mr. Stricker said this is one section of the sidewalk and if it is clean and clear, even though it may break up over time because of construction, at least people can still walk through there.

Mr. Regan said he has put all the sidewalks in anywhere there is not going to be a home; the wetland areas, etc. have sidewalks. He suggested that he will put down gravel which can be maintained even better than a sidewalk so there is a path in those areas. He will maintain it and it will be a connection.



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Trustee Grela suggested that instead of just dumping gravel that there also be fine fill and that the area be rolled.

In answer to Mayor Grasso, Mr. Regan stated that the damage to the sidewalk could be about \$5,000 per lot during construction of the home.

In response to Trustee Wott, Mr. Regan answered that the DuPage Forest Preserve has a gravel prairie path probably in every forest preserve that they own and maintain.

Mr. Pollock said in conferring with Paul May, they are both in agreement that a public sidewalk along the street functions much differently than the prairie path does. The expectation of people using it and the way people use it is much different. His initial reaction would be not to see a gravel pathway that invites people to use it yet does not meet the Village standards for a public sidewalk.

In answer to Trustee Sodikoff, Mr. Pollock said he would like to see the parkway trees installed this year but feels more strongly about the sidewalk.

Motion was made by Trustee DeClouette and seconded by Trustee Allen to have the developer install sidewalks by December 31, 2008 and the trees by August 31, 2009.

On Roll Call, Vote Was:

AYES: 5 – Trustees DeClouette, Allen, Paveza, Wott & Sodikoff

NAYS: 1 – Trustee Grela

ABSENT: 0 – None

There being five affirmative votes, the motion carried.

COMPLETION OF 6501 COUNTY LINE ROAD PROPERTY

Mr. Pollock stated that an inspection was conducted today and it was determined that the exterior improvements had not been completed as required by the Building Ordinance and as summarized in his letters of June 27 and August 1 to the builder. A stop work order was issued this morning and the permit revoked. Unless otherwise directed by the Board, they will not be able to continue work on the home until a new permit is issued which would give them a new one year deadline for completing the exterior improvements.

In answer to Trustee Allen, Mayor Grasso stated the new permit fee is \$15,148.30.

In answer to Mayor Grasso, Mr. Pollock continued that there were five specific items listed in the letters to the builder: 1) the completion of the exterior façade; substantially complete but not 100%; 2) retaining walls or other soil stabilization where the driveway accesses the lower level of the home; that area was rough graded and has not been sodded nor does it have a retaining wall; 3) the



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yard area at the northeast corner of the property needs to be graded and the soil stabilized, it appears that no work has been done in that area; 4) the interior side and rear yards needs to be graded and soil stabilized (as part of the discussions with the applicant, it was noted that if a permit for the accessory structures is submitted to the Village prior to the deadline, the rear yard would become part of the new permit and that a new one year deadline would be established for that work. A partial application was submitted on Friday that did not include any plans; therefore, it was not accepted.); 5) construction fencing and building materials should be removed from the property and the dumpster should be removed or moved to a hard surface area or inside the garage. This item was not addressed.

Mayor Grasso explained that roughly 90 days ago they were permitted an extension to August 23rd without an additional charge. This is obviously a substantial home and has taken a long time to build. He asked how much has already been paid in fees.

Mr. Pollock answered that the fees paid so far have been \$45,000.

Mayor Grasso commented that on Thursday he called the contractor and urged him to make sure these items were taken care of before Monday because it was clear that the Board had given staff pretty clear marching orders that it had to be done by the 23rd and, if not, take appropriate action this morning.

In answer to Trustee Sodikoff, Mr. Pollock stated that the original permit fee is based on the square footage of the home. The \$45,000 is based on extensions that have been granted which essentially are 200% of the original permit fee for one year (or a second year to be added to the first year).

In answer to Trustee Paveza, Mr. Pollock said in his estimation and in discussions with Deputy Building Commissioner, they felt it was a reasonable time period.

Trustee Grela stated that the Ordinance was drafted specifically for the protection of the adjacent residents so that the Village would not have a prolonged or on-going construction project that would never come to completion.

In answer to Trustee Wott, Mayor Grasso said he has not received any calls from residents in weeks.

In answer to Mayor Grasso, Mr. Barnicle stated that there is an Ordinance and, in general, it should be followed; otherwise the Village gets on a "slippery slope" and it will be hard to apply in the future.

In answer to Trustee Sodikoff, Mr. Pollock said the rule is one year from the first footing inspection and four 3 month extensions. At the end of that year, the ordinance just states if the work is not done, the permit is revoked.

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There was discussion regarding the amount to be paid and the length of time.

Ramy Saif, the builder of the home said this is not an average house. They have been working extremely hard and most of the items on the list are very close to being done. He is taking the responsibility for it not being done – they were trying to focus on the things that could be annoying to neighbors. The only items left are some pallets and landscaping. They wanted to move the pallets but couldn't because there's a dumpster and container in the way. He stated they need a couple more weeks to have everything done. The topsoil for the back section was delivered today but the rain on Friday caused a delay. He feels it was a mistake that this house was put under that particular ordinance in the first place.

In answer to Mayor Grasso, Mr. Saif said he would like to say the house could be done in 2 weeks but 30 days would be great. He agreed with Mayor Grasso that 60 days should be more than enough time and asked not to be penalized.

Dr. Aldairi stated it is in Mr. Saif's contract that he would pay the fees but he is in a predicament he should not be in so he will pay it. He appreciates everything Mr. Pollock and Mr. Stricker have done for three years. He continued that he and his wife wanted to create something unique; not something controversial. He continued that the house has been four years in the making, he traveled to nine countries and it emphasizes on history that combines multiple visions.

Dr. Aldairi stated that in the beginning they should have stated the house would not be complete in one year; it would need two or three. It is being built differently. He continued that they have paid the most money in permit fees in the history of the Midwest. There is no reason for everyone to be so upset. If it cannot be resolved, he will pay the permit, not Mr. Saif. He believes Mr. Saif misunderstood some of what Mr. Pollock stated would be required. He does not want to upset one neighbor.

Dr. Aldairi continued that in order for everyone to make a fair judgment they should know the whole story. He explained that this project was delayed for 6 months over a tree and cost him \$160,000. The Village approved his permit, they dug ground and the next thing he knew construction was stopped because of a tree which later was found to be a mistake. He asked the Board that after he has spent \$50,000 for a permit to spare him the agony of saying he paid \$60,000.

Motion was made by Trustee Allen to grant a 90 day extension and impose the \$15,148.30 permit fee. Motion died for lack of a second.

Motion was made by Trustee Paveza to grant a 60 day extension and if the improvements are not completed at that time, then the \$15,148.30 permit fee be imposed. Motion died for lack of a second.

A handwritten signature in cursive script, likely belonging to a member of the Board of Trustees, is located in the bottom right corner of the page.

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Motion was made by Trustee DeClouette and seconded by Trustee Allen to grant an extension to complete the improvements to June 12, 2009 and to impose the \$15,148.30 permit fee.

On Roll Call, Vote Was:

AYES: 5 – Trustees DeClouette, Allen, Wott, Sodikoff & Grela

NAYS: 1 – Trustee Paveza

ABSENT: 0 – None

There being five affirmative votes, the motion carried.

**RECOMMENDATION TO APPROVE CONTRACT FOR PRODUCTION OF
COMMEMORATIVE PLAQUE AT BURR RIDGE VILLAGE CENTER**

Mr. Stricker said per the Board's direction, staff solicited competitive quotes from local vendors for a 24" x 24" cast bronze plaque with a double line border. He continued that the Concorde Sign & Engraving provided the low bid for the custom base and post and the wall mounted plaque. John's (Midwest Awards Corp.) provided the low bid for the aluminum post. Examples of the wording and layout were presented. He said a decision should be made regarding the custom base and post, an aluminum post or a wall mounted plaque and the company which will help with finalizing the wording and layout.

Trustee Grela suggested that because of appearance the size of the plaque be reduced to 18" x 24", Trustees Wott and Paveza agreed.

There was discussion.

Motion was made by Trustee Wott and seconded by Trustee Allen to award the contract for the custom base and post to Concorde Sign & Engraving in an amount not to exceed \$2,720.

On Roll Call, Vote Was:

AYES: 6 – Trustees Wott, Allen, Grela, DeClouette, Sodikoff & Paveza

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

OTHER CONSIDERATIONS

Trustee Grela said he has had repeated phone calls from neighbors questioning how the village can allow residential developments to begin and then stop and be left with the weeds being allowed to grow uncontrollably. He continued that he has talked with Paul May who is working on language for an amendment to the subdivision ordinance so that if the weeds get to the point of waist high or beyond the 2 foot mark that the Village will have the ability to go out and trim and maintain those particular sites.



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Village Attorney Terry Barnicle commented that the village has a weed ordinance but an amendment to the subdivision code would allow the use of the letter of credit to cut the weeds so rather than lien the property, there would be a readily available financial tool to pay for the expense.

AUDIENCE Dusan Vucicevic said that on the southern edge of the Fieldstone Association for about 1700 feet, there is a dry storm sewer detention basin. He continued that since March the grass hasn't been cut because there is water standing there. In the area that should be a dry storm basin there is a cesspool and a lake. The letters go to the management agency that collects the fee but maintaining the storm sewers is a highly technical problem. There are no policing guidelines in the ordinances. We cannot risk West Nile Versus and allow storm sewer cesspools on private property that you have approved and you are not policing. You have the power to levy fines.

Mr. Stricker said this is a serious issue and staff understands and agrees. Staff has contacted the Homeowner Association again and had some success working with the Association to try and get some final conclusion to the issue. Mr. Stricker suggested that Mr. Vucicevic attend the Stormwater Committee meeting where Mr. May can give an update on the progress with the Association and if there is not cooperation, staff agrees that the Village would have to do the work and bill the Association for the work.

Mr. Barnicle explained that all ordinances provide for up to \$500 per day for such fines but a judge needs to issue that fine and that is where the problem lays not the ordinances.

Ms. McInerney explained that many people, particularly in Devon, Deer Path on along Garfield, did not know about the Ash Borer because they do not have a Homeowners Association.

Mayor Grasso explained that this is a recent development and he asked staff to keep the residents informed and the Board updated.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

Mayor Grasso reminded everyone that on September 17 the Secretary of State will be at the Village Hall. Also, there is a new 35 mph speed limit sign on County Line Road, north of Plainfield. Through staff's efforts, the Village was able to get the county to reduce the speed limit.

Mayor Grasso said he traded messages with Mayor Nowaczyk at Willow Springs but he takes it that there is no need for a letter from Burr Ridge.

Trustee Allen stated that last weekend there was some type of ministry selling suckers at County Line Road and Burr Ridge Parkway and asked if they had a permit.




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Mayor Grasso answered yes and that he has asked Mr. Stricker to look into requiring people wear a badge so the residents can be assured they have been sanctioned by the Village. This particular group provides shelter for homeless people in the inner City. It would help their cause if they not only had the vests but some type of identifying tag.

ADJOURNMENT Motion was made by Trustee Grela and seconded by Trustee Paveza that the Regular Meeting of August 25, 2008 be adjourned.

On Voice Vote the motion carried and the Regular Meeting was adjourned at 9:58 p.m.

PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item.



Karen J. Thomas
Village Clerk
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 22nd day of September, 2008.



**AGENDA
REGULAR MEETING – MAYOR & BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE**

**August 25, 2008
7:00 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Tatiana Harvel
Pleasantdale Elementary**
- 2. ROLL CALL**
- 3. AUDIENCE**
- 4. CONSENT AGENDA – OMNIBUS VOTE**

All items listed with an asterisk (*) are considered routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so request, in which event the item will be removed from the Consent Agenda.

**7:00 p.m.
Public Hearing
Pre-Annexation Agreement – Bluff Road/Waterfall Glen PDD**

5. MINUTES

- *A. Approval of Regular Meeting of August 11, 2008
- *B. Receive and File Plan Commission Meeting of July 21, 2008
- *C. Receive and File Draft Veterans Memorial Committee Meeting of August 13, 2008
- *D. Receive and File Draft Plan Commission Meeting of August 18, 2008

6. ORDINANCES

- A. Consideration of Ordinance Amending Chapter 57 (Trees) of the Burr Ridge Municipal Code (Revisions to Address Infestation of Emerald Ash Borer Beetles)
- B. Consideration of An Ordinance Amending Section IX of the Subdivision Ordinance of the Village of Burr Ridge Regarding Tree Diversity
- C. Consideration of Ordinance Approving a Pre-Annexation Agreement for the Bluff Road/Waterfall Glen Planned Development District (P.D.D.)
- *D. Approval of Ordinance Granting a Special Use Pursuant to the Village of Burr Ridge Zoning Ordinance (Z-12-2008: 775 Village Center Drive – Kohler Waters Spa)
- *E. Approval of Ordinance Amending Chapter 25 of the Burr Ridge Municipal Code by Adding a New Class "O" Liquor License

EXHIBIT

A

- *F. Approval of Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Burr Ridge (Computer Equipment)

7. RESOLUTIONS

- *A. Adoption of Resolution to Allow Illinois Municipal Retirement Fund Service Credit for Military Service

8. CONSIDERATIONS

- A. Update on Commonwealth Edison's Proposed Plans to Remove Trees under Transmission Lines throughout Burr Ridge
- B. Update on Emerald Ash Borer Treatment Options
- C. Consideration of Plan Commission Recommendation to Deny Sign Variations (775 Village Center Drive – Kohler)
- D. Consideration of Plan Commission Recommendation to Approve Zoning Ordinance Text Amendment to Add Solar Panels as a Permitted Accessory Structure in Residential Districts
- E. Consideration of Plan Commission Recommendation to Approve Rezoning, Special Use and Variations (Z-13-2008: 743 McClintock Drive – ML Partners, Inc.)
- F. Consideration of Recommendation to Award Contract for Purchase of Burr Ridge Community Television Upgrades
- G. Consideration of Request for Extension of Subdivision Improvement Deadline for Stone Creek Subdivision (Oak Builders at 91st and County Line Road)
- H. Update on Completion of 6501 County Line Road Property
- I. Consideration of Recommendation to Approve Contract for Production of Commemorative Plaque at Burr Ridge Village Center
- *J. Approval of Plan Commission Recommendation to Approve Entryway Sign (Lake Ridge Club Subdivision)
- *K. Approval of Recommendation to Award Contract for Purchase of Video Monitoring Equipment for the Police Department
- *L. Approval of Recommendation to Award Contract for Purchase of In-Car Digital Video Equipment
- *M. Approval of Recommendation to Allow Police Officers to Distribute Flyers and Accept Donations for the COPS Program during the Burr Ridge Park District Harvest Fest Event in October
- *N. Approval of Recommendation to Appoint Carol Semmer to the Environmental Quality Commission for a Three-Year Term Expiring 9-1-11

- *O. Approval of Recommendation to Appoint Charles K. Olson to the Environmental Quality Commission for a Three-Year Term Expiring 9-1-11
- *P. Approval of Recommendation to Appoint Kathleen P. Greenawalt to the Environmental Quality Commission for a Three-Year Term Expiring 9-1-11
- *Q. Approval of Recommendation to Appoint Thomas Oris to the Environmental Quality Commission for a Three-Year Term Expiring 9-1-11
- *R. Approval of Vendor List
- S. Other Considerations – For Announcement, Deliberation and/or Discussion Only – No Official Action will be Taken

9. AUDIENCE

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

11. ADJOURNMENT